

DISTRICT OF COLUMBIA
+ + + + +
ALCOHOLIC BEVERAGE CONTROL BOARD
+ + + + +
HEARING

IN THE MATTER OF:

Cham Restaurant Group
t/a New Town Kitchen & Lounge Show Cause
1336 U Street NW Hearing
Retailer CT (Status)
License No. 93095

Case No. 14-CMP-00555
14-CMP-00538

May 13, 2015

The Alcoholic Beverage Control Board
met in Alcoholic Beverage Control Hearing Room,
Reeves Building, 2000 14th Street N.W.,
Washington, D.C., Chairperson Ruthanne Miller
presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
MICHAEL SILVERSTEIN, Member

HECTOR RODRIGUEZ, Member

JAMES SHORT, Member

1 P-R-O-C-E-E-D-I-N-G-S

2 (9:51 a.m.)

3 CHAIR MILLER: Okay, we have two cases
4 next involving New Town Kitchen and Lounge, Case
5 number 14-CMP-00555 and Case number 14-CMP-00538
6 involving License number 93095.

7 MR. CHAM: Good morning.

8 CHAIR MILLER: Good morning. Could
9 you introduce yourself for the record?

10 MR. CHAM: Howsoon Cham, New Town
11 Kitchen.

12 CHAIR MILLER: And are you, what are
13 you? How are you related to the establishment,
14 Mr. Cham?

15 MR. CHAM: I'm the principle. I'm the
16 owner.

17 CHAIR MILLER: You're the owner, okay.
18 Good morning.

19 MR. RIVERO: Fernando Rivero for the
20 District of Columbia. A brief indulgence,
21 please?

22 CHAIR MILLER: Okay.

1 MR. RIVERO: Okay.

2 CHAIR MILLER: Mr. Cham, did you
3 receive notice of this hearing?

4 MR. CHAM: Yes, ma'am.

5 CHAIR MILLER: Read it and understood
6 it?

7 MR. CHAM: Yes, ma'am.

8 CHAIR MILLER: Okay, so there's no
9 issues with respect to notice for this hearing,
10 correct?

11 MR. CHAM: No.

12 CHAIR MILLER: Okay, yes.

13 MR. RIVERO: But we do have a couple
14 of preliminary matters.

15 CHAIR MILLER: All right.

16 MR. RIVERO: I was not expecting the
17 Licensee to show for the reasons I would like to
18 put on the record. It appears that the Licensee
19 has been evicted and is no longer in operation.

20 The license is in safekeeping. It is
21 in the possession of the Board, and an
22 involuntary transfer application is pending and

1 my understanding from the Agency, will be
2 approved.

3 And for those reasons, chiefly the
4 fact that there's no way the Licensee can
5 operate, will not be operating in the future, and
6 a transfer is imminent, the Government will be
7 moving to dismiss both of the cases that are on
8 the calendar today.

9 CHAIR MILLER: Okay, Mr. Cham, do you
10 want to respond to that?

11 MR. CHAM: No, that's fine. That's
12 fine.

13 CHAIR MILLER: You agree with that?
14 Okay, are there any Board questions? Okay, based
15 on Mr. Rivero's representations then I would move
16 that we dismiss both cases, 14-CMP-00555 and 14-
17 CMP-00538, do I have a second?

18 MEMBER ALBERTI: Second.

19 CHAIR MILLER: Okay, Mr. Alberti
20 seconded the motion. All those in favor, say
21 aye.

22 (Chorus of ayes)

1 CHAIR MILLER: All those opposed?

2 MEMBER SILVERSTEIN: No.

3 CHAIR MILLER: All those abstaining?

4 (No response)

5 CHAIR MILLER: Then the motion passes
6 five to one to zero with Board Member Silverstein
7 opposed. And we will be issuing an order on
8 that. Okay?

9 MEMBER SILVERSTEIN: Madam Chair?

10 CHAIR MILLER: Yes. Mr. Silverstein,
11 you're --

12 MEMBER SILVERSTEIN: I seek explain,
13 I do not necessarily oppose the action itself,
14 dropping charges and cause of. I simply feel
15 uncomfortable with the fact that no action was
16 taken in these cases, and I wanted to express my
17 dissatisfaction with the situation in which we
18 found ourselves.

19 CHAIR MILLER: Okay, thank you.

20 (Whereupon, the hearing in the above-
21 entitled matter was concluded at 9:55 a.m.)

22

A	explain 5:12 express 5:16	morning 2:7,8,18 motion 4:20 5:5 move 4:15 moving 4:7	RODRIGUEZ 1:18 Room 1:12 Ruthanne 1:13,15
a.m 2:2 5:21 abstaining 5:3 action 5:13,15 Agency 4:1 agree 4:13 Alberti 1:16 4:18,19 Alcoholic 1:2,12,12 appears 3:18 application 3:22 approved 4:2 aye 4:21 eyes 4:22	F fact 4:4 5:15 favor 4:20 feel 5:14 Fernando 2:19 fine 4:11,12 five 5:6 found 5:18 future 4:5	N N.W 1:13 necessarily 5:13 New 1:6 2:4,10 NICK 1:16 notice 3:3,9 number 2:5,5,6 NW 1:7	S safekeeping 3:20 second 4:17,18 seconded 4:20 seek 5:12 SHORT 1:19 show 1:6 3:17 Silverstein 1:17 5:2,6,9 5:10,12 simply 5:14 situation 5:17 Status 1:7 Street 1:7,13
B based 4:14 Beverage 1:2,12,12 Board 1:2,12 3:21 4:14 5:6 brief 2:20 BROOKS 1:16 Building 1:13	G Good 2:7,8,18 Government 4:6 Group 1:6	O okay 2:3,17,22 3:1,8,12 4:9,14,14,19 5:8,19 operate 4:5 operating 4:5 operation 3:19 oppose 5:13 opposed 5:1,7 order 5:7 owner 2:16,17	T t/a 1:6 taken 5:16 thank 5:19 today 4:8 Town 1:6 2:4,10 transfer 3:22 4:6 two 2:3
C calendar 4:8 Case 1:9 2:4,5 cases 2:3 4:7,16 5:16 cause 1:6 5:14 Chair 2:3,8,12,17,22 3:2 3:5,8,12,15 4:9,13,19 5:1,3,5,9,10,19 Chairperson 1:13,15 Cham 1:6 2:7,10,10,14 2:15 3:2,4,7,11 4:9,11 charges 5:14 chiefly 4:3 Chorus 4:22 CMP-00538 4:17 Columbia 1:1 2:20 concluded 5:21 Control 1:2,12,12 correct 3:10 couple 3:13 CT 1:7	H hearing 1:3,7,12 3:3,9 5:20 HECTOR 1:18 Howsoon 2:10	P P-R-O-C-E-E-D-I-N-G-S 2:1 passes 5:5 pending 3:22 please 2:21 possession 3:21 preliminary 3:14 PRESENT 1:15 presiding 1:14 principle 2:15 put 3:18	U U 1:7 uncomfortable 5:15 understanding 4:1 understood 3:5
D D.C 1:13 dismiss 4:7,16 dissatisfaction 5:17 District 1:1 2:20 DONALD 1:16 dropping 5:14	I imminent 4:6 indulgence 2:20 introduce 2:9 involuntary 3:22 involving 2:4,6 issues 3:9 issuing 5:7	Q questions 4:14	V
E entitled 5:21 establishment 2:13 evicted 3:19 expecting 3:16	J JAMES 1:19	R Read 3:5 reasons 3:17 4:3 receive 3:3 record 2:9 3:18 Reeves 1:13 related 2:13 representations 4:15 respect 3:9 respond 4:10 response 5:4 Restaurant 1:6 Retailer 1:7 right 3:15 Rivero 2:19,19 3:1,13 3:16 Rivero's 4:15	W want 4:10 wanted 5:16 Washington 1:13 way 4:4
	K Kitchen 1:6 2:4,11		X
	L license 1:8 2:6 3:20 Licensee 3:17,18 4:4 longer 3:19 Lounge 1:6 2:4		Y
	M ma'am 3:4,7 Madam 5:9 matter 1:5 5:21 matters 3:14 Member 1:16,16,17,18 1:19 4:18 5:2,6,9,12 met 1:12 MICHAEL 1:17 Miller 1:13,15 2:3,8,12 2:17,22 3:2,5,8,12,15 4:9,13,19 5:1,3,5,10 5:19		Z zero 5:6
			0
			1 13 1:11 1336 1:7 14 4:16 14-CMP-00538 1:9 2:5 14-CMP-00555 1:9 2:5 4:16 14th 1:13

2

2000 1:13**2015** 1:11

3

4

5

6

7

8

9

9:51 2:2**9:55** 5:21**93095** 1:8 2:6